

The 2015 US-Japan Guidelines for Defense Cooperation: toward “A More Balanced and Effective Alliance” by

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While the media has focused on how Prime Minister Abe Shinzo will treat history in his speech to Congress next week, another historic development should occur days before Abe reaches the podium. Monday, US and Japanese officials are expected to approve a major revision of the *Guidelines for US-Japan Defense Cooperation* – the third in the alliance’s history.

The result of intense negotiations since October 2013, the 2015 *Guidelines* revision is intended to ensure that bilateral security and defense cooperation reflects changes to the regional and global security environment since the *Guidelines* were last revised in 1997. It will sketch out a comprehensive vision for a “full partners[hip],” including deepened and expanded bilateral defense and security cooperation, more “effective, efficient, and seamless alliance response” to threats above and below the threshold of “armed attack”; a standing alliance coordination mechanism designed to be more timely, flexible, and responsive; and enhanced security cooperation with other regional partners “to advance shared objectives and values.” With Japan’s July 2014 Cabinet Resolution on collective self-defense, the 2015 *Guidelines* will shape major security legislation to be introduced to the Diet in mid-May.

Origins

The original 1978 *Guidelines* defined the US’ and Japan’s roles and missions and gave the first public authorization for bilateral defense planning, training, and exercises. These efforts focused strictly on possible armed (Soviet) attack against Japan. (Possible regional contingencies were relegated to joint study and consultation.) The 1997 *Guidelines* updated roles and missions to reflect developments in the post-Cold War period (especially North Korea’s nuclear program) and expanded the alliance’s mandate beyond strict territorial defense of Japan. Japan’s Self-Defense Forces (JSDF) were tasked with providing “rear-area support” to US forces in “situations in areas surrounding Japan” (SIAS-J) – generally understood as a potential conflict on the Korean Peninsula.

Playing Catch-up

Since 1997, changes to the regional and global security environment, military technology, and Japan’s own security posture have rendered the current *Guidelines* obsolete.

Eighteen years ago, neither China’s military modernization nor its policies and rhetoric vis-à-vis vast sovereignty claims in the South and East China Seas – including five islands administered by Japan – were major ally concerns. China’s official 1997 defense budget was \$10 billion – roughly the same as Taiwan’s and one-fourth that of Japan. (Today, Beijing’s official defense budget – \$142 billion – is more than three times Japan’s and 13 times that of Taiwan.) North Korea’s nuclear weapon and missile programs were far less advanced. Few alliance handlers had heard of cyber warfare, anti-satellite weapons, conventionally-tipped ballistic missiles, or anti-access/area denial.

In 1997, Japan had no missile defense capability. Few would have predicted the scope of JSDF operations and alliance cooperation would soon expand to global missions, including HA/DR, counter-piracy in the Gulf of Aden, postwar reconstruction assistance to Iraq, and refueling operations in the Indian Ocean. Even a few years ago, few would have guessed that the political resurgence of Abe Shinzo would in 2014 lead to constitutional reinterpretation to allow limited exercise of Japan’s right to collective self-defense.

Since 1997, the allies have realized significant enhancements to military cooperation and interoperability, both in word (e.g., the Defense Policy Review Initiative) and deed (ballistic missile defense; JSDF deployments to the Indian Ocean and Iraq; *Operation Tomodachi*). Nevertheless, the 1997 *Guidelines*’ obsolescence prevents more effective operational cooperation and deterrence. Meanwhile, Japan’s economic and fiscal challenges pose additional constraints on defense spending, rendering efficient, effective, and flexible alliance cooperation in the face of an “increasingly severe” security environment an imperative. Accordingly, next week’s revision will serve both to improve and update the *Guidelines* to reflect changes that have occurred, and to delineate areas for expanded cooperation over the next 10-15 years. As a 2013 joint statement articulates, the goal is “a more balanced and effective Alliance” to “jointly and ably” meet 21st century regional and global challenges.

Deficiencies in the 1997 Guidelines

An extensive review of the 1997 *Guidelines* – initiated by the Democratic Party of Japan in 2012 – identified several specific deficiencies:

- SIAS-J’s limiting, if vague, restriction on JSDF activities.
- An excessively rigid framework assuming the allies would be in peacetime or a full contingency. This hamstrung cooperation by introducing artificial “seams” between normal circumstances, anticipated armed attack, and armed attack. A different allied response to each category was unrealistic and inflexible. The framework prevented effective responses to “grey zone” scenarios that were

neither peacetime nor “armed attack” – a condition for invoking Article V of the 1960 Mutual Security Treaty – and thus fell between those seams.

- An excessively high threshold for activating the bilateral coordination mechanism (BCM) – a formal, ad-hoc body for operational coordination among relevant government agencies. The BCM could not be activated even when both countries’ militaries engaged in major mobilizations such as allied responses to Japan’s March 2011 “triple disaster” (*Operation Tomodachi*) or to DPRK missile tests because they did not entail an armed attack and SIAS-J. This all-or-nothing condition rendered the BCM useless for grey-zone scenarios, such as a foreign submarine refusing to leave territorial waters or an armed group landing on Japan’s remote southwestern islands.
- New threats from cyber, space, and ballistic missiles rendered the 1997 *Guidelines*’ geographically rooted concepts of “forward-area” and “rear-area” operationally constraining and unrealistic. Geographical bounds on defense cooperation – central to SIAS-J – were obsolete.

Maintaining the Fundamentals

Despite talk of an alliance “transformation” underway, key fundamentals will remain. Deterrence and the defense of Japan against armed attack remain the alliance’s core focus – a fact reflected in Japan’s July 2014 Cabinet resolution on collective self-defense. Tokyo remains committed to both an “exclusive defense” (*senshu boei*) posture and its three non-nuclear principles. Its contribution to global security and US operations will be primarily logistical support. Finally, Japan remains reluctant to participate directly in kinetic conflict beyond a fairly strict interpretation of self-defense.

Expected Changes in the 2015 *Guidelines*

Nevertheless, significant changes are on the horizon. To be sure, specifics cannot be confirmed until the final *Guidelines* document is made public and Japan’s security legislation package is passed this summer. But an analysis of the 2014 Interim Report, meetings with informed sources in Washington and Tokyo, and extensive surveys of Japanese media reports suggests the following revisions:

- Expanding the geographical scope of cooperation and emphasizing the alliance’s “global nature,” together with a removal of SIAS-J to allow greater operational flexibility;
- Expanding the substantive scope of cooperation to include counter-terrorism, peacekeeping, capacity building, HA/DR, and “new strategic domains” of cyberspace and space, including sharing information on Space Situational Awareness and maritime surveillance from space;
- Ensuring a “seamless” – across all possible conflict phases – and “whole-of-government” response to various contingencies, including “grey zone” challenges;
- Deepening trilateral and multilateral cooperation with other regional partners (especially Australia and South Korea) on issues ranging from peacekeeping operations and HA/DR to maritime security, logistics, and ISR;

- In accordance with Japan’s 2014 constitutional reinterpretation, committing to jointly intercept ballistic missiles targeting the United States, protect US naval assets, inspect suspicious ships, and conduct minesweeping operations if a conflict occurs in sea-lanes threatening Japan’s survival;
- Permanently stationing a high-ranking US military officer within central command of Japan’s Ministry of Defense;
- Replacing the (never-activated) BCM with a permanent body for operational coordination to facilitate regular preparation and rapid, effective, seamless, and whole-of-government responses to contingencies running the gamut from major natural disasters to grey zones to armed attack.

Guidelines, *Not* Rules or Legislation

Media reports to the contrary, the *Guidelines* are not “bilateral defense rules” and they do not “give Japan’s military new powers to act.” As noted in last October’s Interim Report, the *Guidelines* “will not obligate either government to take legislative, budgetary or administrative measures, nor will [they] create legal rights or obligations.” They are simply a broad outline of the allies’ respective responsibilities and procedures for operational coordination to achieve shared security objectives. The subsequent legislation and manner of implementation in terms of planning, training, and operations will determine the nature and extent of actual cooperation.

Looking Forward

The 2015 *Guidelines* will open significant new avenues for US-Japan defense cooperation. But the devil will be in the details of Japan’s forthcoming security legislation – especially how last July’s Cabinet resolution is interpreted. Indeed, the timing of the *Guidelines* revision is a bit odd, even risky. Washington and Tokyo are in principle agreeing to do things before domestic debate within Japan over their constitutionality and legality has run its course.

Even if alliance managers break out the champagne next week, political leaders should keep their eyes on the bigger picture. Both countries’ interests and regional and global peace and stability are best served by a robust US-Japan alliance *and* healthy, politically stable, and mutually-beneficial relations with Japan’s neighbors. The allies’ challenge is to enhance alliance cooperation and deterrence without exacerbating regional tensions or weakening public support in Japan for defense reforms. Transparency and proactive diplomatic engagement are essential. The allies themselves must also prevent the emergence of expectations gaps. In particular, Washington should appreciate the practically significant, but *limited*, changes to Japan’s security posture and the persistence of deep-seated domestic sensitivities surrounding them.

Diet debate will shape how the allies operationalize what they have agreed to nominally. That promises to be a long, drawn-out drama. But make no mistake. Regardless of how it plays out, with next week’s announcement 2015 will have already become a historic year for US-Japan relations.

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